

**REMARKS**

Applicants respectfully request further examination and consideration in view of the arguments set forth fully below. Claims 1-26 were previously pending in this application. Within the Office Action, Claims 1-26 have been rejected. No claims are amended, added, or canceled. Accordingly, Claims 1-26 are currently pending.

**Rejections Under 35 U.S.C. § 102**

Claims 1-14 and 17-26 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0064757 to Yamadera et al. (hereinafter "Yamadera"). Applicants respectfully traverse this rejection.

Claim 1 is directed to a menu-driven electronic device comprising: a.) a display configured to selectively display one of a plurality of menus, including a main menu and a sub-menu; and b.) a two-dimensional navigation key configured to select one of a plurality of main menu items of the main menu and to select a sub-menu item of the sub-menu associated with a selected main menu item (emphasis added).

Within the Office Action, the Examiner cites Figure 1, element 4 of Yamadera as teaching the claimed two-dimensional navigation key. The Applicant contends that the Examiner has misinterpreted the definition of a two-dimensional key.

Yamadera teaches that the cited element 4 is a curser key 4. According to Yamadera, the curser key 4 is moved in one of four directions (up, down, left, right) to scroll through menu items on the display menu 10a. The curser key 4 also has a pushbutton function, which allows the user to press the curser key 4 to confirm a menu item that has been highlighted (Yamadera, paragraph [0042]). This is the exact definition of a conventional three-dimensional navigation key. A three-dimensional navigation key operates in the x-direction (left and right), the y-direction (up and down), and the z-direction (pushing the button), thus three-dimensional. In contrast, a two-dimensional navigation key operates in only two dimensions, the x-direction (left and right) and the y-direction (up and down). A two-dimensional navigation key does not operate in the z-direction. In other words, a two-dimensional navigation key does not accept a pushbutton operation.

The present application explicitly defines the operation of, and the differences between, a two-dimensional navigation key and a three-dimensional navigation key (Present Specification, page 2, lines 1-15). As described above, there are clear, and well recognized differences between a two-

dimensional navigation key and a three-dimensional navigation key. A two-dimensional navigation key and a three-dimensional navigation key are not interchangeable. In fact, implementation of a two-dimensional navigation key instead of a three-dimensional navigation key requires a significantly different menu-driven functionality, to which the present claims are directed.

As Yamadera clearly teaches a three-dimensional navigation key, Yamadera does not teach a two-dimensional navigation key with the related functionality of selecting one of a plurality of main menu items of the main menu and selecting a sub-menu item of the sub-menu associated with a selected main menu item, as claimed in the independent Claim 1. For at least these reasons, the independent Claim 1 is allowable over Yamadera. Claims 2-14 and 17 are dependent upon the independent Claim 1. Accordingly, Claims 2-14 and 17 are allowable as being dependent upon an allowable base claim, and are now in condition for allowance.

Claim 18 is directed to a menu-driven wireless telecommunications device comprising: a.) a display configured to selectively display one of a plurality of menus, including a main menu and a sub-menu; and b.) a two-dimensional navigation key configured to select one of a plurality of main menu items of the main menu and to select a sub-menu item of the sub-menu associated with a selected main menu item, wherein the device displays a plurality of sub-menu items. As discussed in detail above, Yamadera does not teach a two-dimensional navigation key configured to select a sub-menu item of the sub-menu associated with a selected main menu item.

For at least these reasons, the independent Claim 18 is allowable over Yamadera. Claims 19-22 are dependent upon the independent Claim 18. Accordingly, Claims 19-22 are allowable as being dependent upon an allowable base claim, and are now in condition for allowance.

Claim 23 is directed to a menu-driven wireless telecommunications device comprising: a.) a display configured to selectively display one of a plurality of menus, including a main menu, a first sub-menu, and a second sub-menu; and b.) a two-dimensional navigation key configured to select one of a plurality of main menu items of the main menu, to select a first sub-menu item of the first sub-menu associated with a selected main menu item, and further to select a second sub-menu item of the second sub-menu associated with the selected main menu item. As discussed above, Yamadera does not teach a two-dimensional navigation key configured to select one of a plurality of main menu items of the main menu, to select a first sub-menu item of the first sub-menu associated with a selected main menu item, and further to select a second sub-menu item of the second sub-menu associated with the selected main menu item.

For at least these reasons, the independent Claim 23 is allowable over Yamadera. Claims 24-26 are dependent upon the independent Claim 23. As discussed above, the independent Claim 23 is allowable over Yamadera. Accordingly, Claims 24-26 are allowable as being dependent upon an allowable base claim, and are now in condition for allowance.

**Rejection Under 35 U.S.C. § 103**

Claims 15 and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamadera. Claim 15 is dependent on the independent Claim 1. Claim 25 is dependent on the independent Claim 23. As discussed in the previous section, the independent Claims 1 and 23 are allowable over the teachings of Yamadera. Accordingly, Claims 15 and 25 are allowable as being dependent upon an allowable base claim, and are now in condition for allowance.

Claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamadera in view of U.S. Patent No. 6,463,304 to Smethers. Claim 16 is dependent on the independent Claim 1. As discussed in the previous section, the independent Claim 1 is allowable over the teachings of Yamadera. Accordingly, Claim 16 is allowable as being dependent upon an allowable base claim, and is now in condition for allowance.

**Conclusion**

For the reasons given above, Applicants respectfully submit that the Claims 1-26 are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,  
HAVERSTOCK & OWENS LLP

Dated: 2-7-07

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Date: Feb 7, 07 For: Harry Berles